

CITY OF WISCONSIN DELLS MEETING AGENDA

Meeting Description CITY PLAN COMMISSION

Date: WEDNESDAY, APRIL 13, 2016 Time: 5:15PM Location: MUNICIPAL BUILDING
300 LA CROSSE STREET, WISCONSIN DELLS, WI

		Committee Members		
Mayor Brian Landers-Chair		Alder. Mike Freel	Fire Chief Scott Walsh	Chris Lechnir
		Tifani Jones	Dan Anchor	Jeff Delmore
AGENDA ITEMS:				
1	CALL MEETING TO ORDER AND ATTENDANCE			
2	APPROVAL OF THE MINUTES FROM THE MARCH 9, 2016 MEETING			
3	PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT APPLICATION FROM MT. OLYMPUS ENTERPRISES, INC. TO ALLOW LAND USE 5.3 GROUP LODGING FACILITY AT 2020 WIS. DELLS PARKWAY, SAUK COUNTY, CITY OF WISCONSIN DELLS PARCEL 291-0148-00000. THE PROPERTY IS ZONED C-4 COMMERCIAL-LARGE SCALE			
4	DISCUSSION/DECISION ON ITEM #3 (MT OLYMPUS – CUP)			
5	PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT APPLICATION FROM IZIK COHEN TO ALLOW LAND USE 5.3 GROUP LODGING FACILITY AT 817 OAK STREET, COLUMBIA COUNTY, CITY OF WISCONSIN DELLS PARCEL 291-607. THE PROPERTY IS ZONED C-2 COMMERCIAL-DOWNTOWN			
6	DISCUSSION/DECISION ON ITEM #5 (COHEN-CUP)			
7	PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT APPLICATION FROM SMART STAFF LLC (CALIN VOICU) D/B/A ALL FRIENDS TO ALLOW LAND USE 5.3 GROUP LODGING FACILITY (SEASONAL EMPLOYEE HOUSING) AT 612 VINE STREET, COLUMBIA COUNTY, CITY OF WISCONSIN DELLS PARCEL 291-1092. THE PROPERTY IS ZONED C-1 COMMERCIAL NEIGHBORHOOD			
8	DISCUSSION/DECISION ON ITEM #7 (SMART STAFF LLC-CUP)			
9	PUBLIC HEARING TO CONSIDER AMENDING THE ZONING CODE TO ALLOW PRIVATE OUTDOOR COMMERCIAL FOOD AND BEVERAGE SERVICE BY RIGHT IN THE C-2 COMMERCIAL-DOWNTOWN, C-3 COMMERCIAL-HIGHWAY, AND C-4 COMMERCIAL-LARGE SCALE ZONING DISTRICT WITH UPDATED STANDARDS AND APPROVAL BY THE DESIGN REVIEW COMMITTEE			
10	DISCUSSION/DECISION ON ITEM #9 (ZONING CODE AMENDMENT-PRIVATE OUTDOOR COMMERCIAL FOOD AND BEVERAGE SERVICE)			
11	ANY OTHER ITEMS FOR REFERRAL TO FUTURE MEETING			
12	SET DATE FOR THE NEXT PLAN COMMISSION MEETING (WEDNESDAY, MAY 11, 2016)			
13	ADJOURNMENT			
Open Meetings Notice: If this meeting is attended by one or more members of the Common Council who are not members of this committee, their attendance may create a quorum of another city commission, board or committee under the Wisconsin Open Meetings Law; However, no formal action will be taken by any governmental body at the above stated meeting other than the body, committee, commission, or board identified in this meeting notice. Please be advised that upon reasonable notice, the City of Wisconsin Dells will furnish appropriate auxiliary aids and services to afford individuals with disabilities an equal opportunity to participate in meeting activities.				
MAYOR BRIAN LANDERS CHAIRPERSON		DISTRIBUTED APRIL 8, 2016		

Conditional Use Permit – Mt. Olympus Employee Housing (Continental Motel)
2020 Wisconsin Dells Parkway
Staff Report for Plan Commission, 4/13/16

The City of Wis. Dells has received a Conditional Use Permit (CUP) application from Mt. Olympus Resorts for a Group Lodging Facility at the old Continental Motel located at American World 2020 Wisconsin Dells Parkway.

Mt. Olympus had obtained a CUP for a lodging permit at this facility in 2011, 2012, 2013, 2014, and 2015. Mt. Olympus has determined they need to utilize this facility for employee housing again in 2016.

Mt. Olympus has stated that they still do not intend the long term use of this facility to be for employee housing. However, they have indicated that they will need to use this facility for employee housing in the short term. Mt. Olympus had built 50 new cabins in 2013 to house their employees at the previous site of the Big Chief Go-Cart tracks on CTH A. The understanding was that Mt. Olympus would eventually build enough housing at the new facility that they could cease use of the Continental for employee housing.

In the fall of 2013 the Village of Lake Delton began working on programs to address employee housing in the area, starting with a large dormitory project to provide housing for all businesses in the Wisconsin Dells area. The Village has continued to explore other methods of addressing employee housing for the area, and it appears a plan has recently been established. Mt. Olympus has stated that they will construct additional employee housing in Lake Delton for 2017, and will then be able to stop using this location for employee housing.

For the summer of 2016 Mt. Olympus continues to have a need for additional employee housing. Mt. Olympus will be utilizing as many rooms at the new dorm as possible. Mt. Olympus also has the private dorm housing they constructed behind Top Secret and the new cabins they constructed on Hwy A. These represent the only new construction of employee housing by an employer.

There were no issues with this facility housing employees in recent years. Mt. Olympus has been cooperative in addressing some city concerns, such as a central fire alarm system that was not working and some other maintenance items. This facility has also been painted to match the other motels Mt. Olympus operates for visitors.

It is agreed by all parties that employee housing on Wis. Dells Parkway is not desirable, and should be the housing of last resort. However it took some time to develop a plan to ensure there would be enough new housing in the area to allow this facility to close concerns of not enough beds for all the area employees. It appears that a solution has been developed that will be implemented in 2017.

The following is from the report from the Mt. Olympus Ground Lodging CUP application in 2011:

The facility contains 22 rooms on 2 identical stories. Each story has 9 rooms with an area of 324 sq ft and 2 rooms with an area of 439 sq ft. Each room has a full bathroom, with tub, toilet and sink. Mt. Olympus has stated they intend to put bunk beds in the rooms to hold 4 and 6 employees respectively, which provides 81 sq ft and 73 sq ft per person respectively. This creates a total maximum occupancy of 96 persons. The current lodging facility ordinance requires 50 sq ft per person, which this facility meets. The City has encouraged new facilities that are converted hotel to provide more than the minimum square footage.

This facility does not have any common area available for use by the employees, the office area at this facility is currently being used for storage is and full. Mt. Olympus has a rather large kitchen and laundry area at the employee housing they built behind Top Secret, and has stated that the employees staying at this location will be granted used of this facility. A brief pre-inspection of the facility finds the rooms to be in good condition for employee housing.

The current zoning code requires there to be at least one parking space for each room. This facility has 22 rooms and the zoning code requires 1 space per room. There are 44 parking spaces in front of the facility. The gas station and restaurant adjacent to this facility have additional parking that meets their requirements. There are also approximately 187 additional parking spaces south of Crabby's.

Mt. Olympus has taken ownership of the entire American World property (but not the BP or Crabby's), which contains another motel and a campground with a RV park. Mt. Olympus has stated that the management of the overnight facilities will be managing the employee housing facility and ensuring that the area is properly maintained. There is not a manager living on site, which has been required of other facilities, but not all. General concerns have exist arise from conversion of overnight lodging facilities to long term group lodging facilities. Some of these concerns come from the location of such facilities in prominent commercial areas, with these facilities not being the best view of the community for visitors to see. Other concerns with the conversion of these facilities have to do with fire and safety issues. Often these facilities are older and not constructed and wired for the heavy use that the group lodging use imposes on it. This particular facility is a concrete building, so that it is not as susceptible to a catastrophic fire.

As for the location of this facility, Mt. Olympus has indicated that it would rather use this facility or this location for a more commercial use, but at this time does not have a better alternative for housing its employees. One option would be to approve this permit for one year to allow Mt. Olympus to get through this season and then find a more appropriate location to house its employees.

It has been past practice that any approval of the Group Lodging Facility use is granted solely to the current applicant, and cannot be transferred to another party. Any sale of the property will terminate the permit, and any subsequent owner will be required to obtain a separate CUP for this facility. In this case, if the ownership of the facility were to go back to the original owner this permit would terminate.

Another past practice is to make it clear to the applicant that approval is contingent on continued diligence to the proper management of the facility. If the facility is deemed to become a nuisance to the surrounding properties, the permit may be revoked. Mt. Olympus has constructed and maintained a group lodging facility in this area (behind Top Secret), and it has remained one of the top facilities in the City. However, while this other facility is near the main commercial strip, it does not have direct frontage on the strip. This property is located in a commercial area that is next to a convenience store, but far from any other amenities such as a full grocery store, library, or other public services.

This facility is on the main commercial strip in this area of the City, which would not ordinarily be considered a good location for employee housing. This use would not be consistent with the City's future plan to utilize these lands for commercial purposes.

This use should not have a significant impact on the traffic circulation in this area.

As this use will take place in an existing facility, the effects on the natural environment will be minimal.

This use could have a negative effect on surrounding commercial properties, as employee housing become a nuisance property if not properly managed.

This property has the look of an abandoned motel. In most cases, using a facility for employee housing increases the degradation of the property and inhibits investment into the property to make it attractive to visitors to the community. The continued use of this facility for group lodging could delay the removal of this facility or its revitalization to an overnight use. However, other facilities that have not been allowed to operate in this manner have become more and more run down while waiting for someone to purchase it and/or develop it for a better use.

Approval of this permit may contain the following contingencies.

1. The permit is issued to Mt. Olympus and is not transferrable
2. The facility shall be properly maintained and managed to prevent it from becoming a nuisance.
3. Possibly: The permit is issued for one year to prevent the perpetual use of this location for employee housing.

OR: This permit will be reviewed in one year to evaluate the status of this location for more appropriate uses than employee housing.

Chris Tollaksen
City of Wis. Dells Public Works

CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

- Office Use Only -

Initial application fee	\$525.00
Receipt number	54555
Application number	

1. Applicant information

Applicant name	Mt Olympus Enterprises Inc
Street address	1881 Wisconsin Dells Pkwy, P O Box 5
City	Wisconsin Dells
State and zip code	WI 53965
Daytime telephone number	608-253-8441
Fax number, if any	608-253-7703
E-mail, if any	beth@mtolympuspark.com

2. Subject property information

Street address	2020 Wisconsin Dells Pkwy
Parcel number	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)	Commercial
Describe the current use	Employee Housing

3. Proposed use. Describe the proposed use.

Employee housing for Mt Olympus employees

4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

24 hour occupancy May 1 – September 30 approximately
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CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

none

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

- a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

- b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

Employees are instructed in proper pedestrian crossing use

- c. The suitability of the subject property for the proposed use

Well suited

- d. Effects of the proposed use on the natural environment

n/a

- e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

n/a

- f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district

n/a

- g. Effects of the proposed use on the city's financial ability to provide public services

n/a

CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

7. **Project map.** Attach a scaled map showing the information as listed at the end of this application. Use one of the following page sizes as appropriate: 8½" x 11", 11" x 17", or 24" x 36".

8. Applicant certification

- ◆ I certify that the application is true as of the date it was submitted to the City for review.
- ◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the agreement below.

3/17/2016

Applicant Signature

Date

Governing Regulations The procedures and standards governing this application process are found in Chapter 19, Article 4, Division 6, of the City's Municipal Code.

Reimbursement Agreement for Application Review Costs

A. Payment for Eligible Costs.

By submitting this application for review, the applicant agrees to pay all administrative costs incurred by the City in the processing, study, and review of the application including costs for planning, legal, engineering, and related services, referred to herein as eligible costs.

B. Guarantee of Payment.

To guarantee reimbursement, the applicant shall submit one of the following along with this application:

1. an irrevocable letter of credit in the name of the City in an amount as set by the zoning administrator; or
2. a cash deposit in an amount as set by the zoning administrator.

If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7 days of the invoice date. An interest rate of 1½ percent shall be charged on invoices not paid within 30 days of the invoice date. The City shall access the letter of credit to pay for overdue invoices, including late penalty charges, and submit a written notice to the applicant.

If remaining monies in the cash account are insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to deposit additional monies into the cash account in an amount as set by the zoning administrator. If the principal amount of the irrevocable letter of credit is insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to submit a second letter of credit in an amount as set by the zoning administrator. The applicant may withdraw this application prior to final action by the City Council by submitting a written letter to the City. Upon such notice, the City shall cease all work related to the review of the application. However, withdrawal of this application does not terminate this reimbursement agreement.

If the applicant does not pay for eligible costs, the City Clerk/Treasurer shall add the outstanding balance to the tax roll as a special assessment against the subject property. In addition, the City may pursue other legal means to obtain the outstanding balance as allowed by law.

C. Termination of Guarantee.

If a cash deposit is used to guarantee reimbursement, the City agrees to reimburse the applicant any unused monies in the cash account, including earned interest, within 60 days of the date when the City Council takes final action on the application. If a letter of credit is used, the City shall send a written letter to the applicant releasing the applicant from the letter of credit when all outstanding invoices have been paid.

Applicant Signature

Date

CONDITIONAL USE APPLICATION

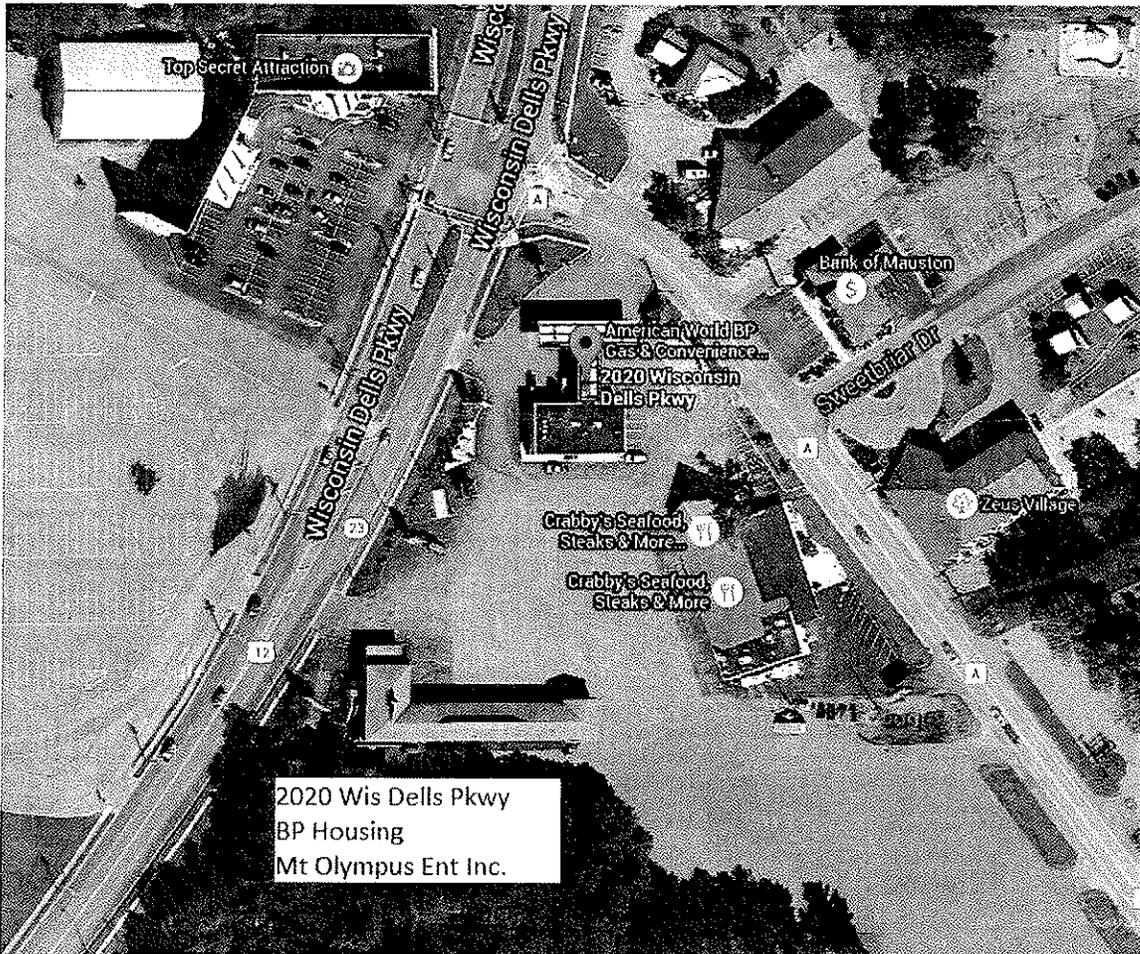
Wisconsin Dells, Wisconsin

Version: May 21, 2007

Project Map Checklist

Project Information	Included ?
Project name (e.g., business name, subdivision name)	<input checked="" type="checkbox"/>
Applicant name	<input checked="" type="checkbox"/>
Preparation date	<input checked="" type="checkbox"/>
Survey Information	
North arrow and graphic scale	<input type="checkbox"/>
Address of subject parcel or legal description	<input checked="" type="checkbox"/>
Property boundaries	<input checked="" type="checkbox"/>
Acreage of subject parcel	<input type="checkbox"/>
Project Development Information	
Easements/rights-of-ways (location, width, purpose, ownership)	<input type="checkbox"/>
Common areas/conservancy areas (location, purpose, ownership)	<input type="checkbox"/>
Setting	
Property boundaries within 50' of the subject parcel	<input type="checkbox"/>
Land uses within 50' of the subject parcel	<input type="checkbox"/>
Zoning district boundaries within 50' of the subject parcel	<input type="checkbox"/>
Municipal boundaries within 50' of the subject parcel	<input type="checkbox"/>

Site Features (Existing and Proposed)	Included ?
Wetlands	<input type="checkbox"/>
Woodlands	<input type="checkbox"/>
Wildlife habitat, including critical wildlife habitat	<input type="checkbox"/>
Environmentally sensitive features	<input type="checkbox"/>
Water resources (rivers, ponds, etc.)	<input type="checkbox"/>
Floodplain boundaries	<input type="checkbox"/>
Environmental and man-made hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, high-pressure natural gas lines, and others as appropriate	<input type="checkbox"/>
Fences, buffers, and berms	<input type="checkbox"/>
Existing trees and other prominent vegetation	<input type="checkbox"/>
Transportation Facilities (Existing and Proposed)	
Streets	<input type="checkbox"/>
Driveways and road access onto public and private roads	<input type="checkbox"/>
Sidewalks / trails	<input type="checkbox"/>
Buildings / Structures (footprint, use, etc.)	
Existing and proposed within subject parcel	<input type="checkbox"/>
Existing within 50' of subject parcel	<input type="checkbox"/>



Conditional Use Permit – Izik Cohen
817 Oak St.
Staff Report for Plan Commission, 04/13/16

The City of Wis. Dells has received a Conditional Use Permit (CUP) application from Izik Cohen for Group Lodging Facilities at 817 Oak St.

At the end of the summer of 2015 it was discovered that more than 4 unrelated people were living in the house. The people in the house were moving out and the home remained vacant during the winter. This facility is located in the C-2 Commercial-downtown zoning district, and the owner was notified that they must obtain a CUP if they intend to have more than 4 individuals living in this house.

Current City Ordinance requires 50 sq ft per person in the sleeping room. The City has encouraged new facilities to provide more space per person in facilities that contain only sleeping quarters, such as a motel. However, consideration has been given for homes with separate living and dining space to allow closer to 50 square feet in the sleeping rooms.

City standards require 1 parking stall for each 400 sq ft in each sleeping room.

City standards require at least 1 bathroom for 8 occupants.

The applicant intends to house 12 of their employees in this 6 bedroom, 2 bathroom home. The rooms will have 55-75 sq ft per occupant which meets the 50 sq ft requirement. The occupancy of the rooms in this house is on the small side. However, the house has kitchens, living rooms, and porches that can be used as a common recreational area. This facility doesn't have much for outdoor yard space.

This facility has a large parking area in the back sized for 9 stalls and a car port in the front sized for 2 stalls.

Pre-inspections have been performed on all of the facilities. As single family homes the facilities were found to be in decent condition. The applicant was given a list of items to address they began working on immediately. The facility is surrounded by 4 motels, 2 City parking lots, and 1 residence to the north. There are also 3 small apartments on this lot behind the house. These units are occupied by 1 resident each.

As with any other lodging facility, the management of the facility is of the utmost importance. The fact that the owner/operator of the facility does not reside is normally a concern about potential nuisances. This concern is mitigated by the fact that the owner of the facility is the employer of the tenants. Usually employer owner housing generate less nuisances. Generally employers are encouraged to provide housing for their employees. The applicant has indicated that there will be a general manager in the area, and each facility will have at least one tenant who will be considered the manager of that particular facility. At the very least, a clear contact to a responsible party must be provided to the City, so any concerns that arise can be immediately addressed. The on-site manager must be responsible enough to ensure that the facility does not become a chronic nuisance. Even if nuisances are resolved

immediately, the re-occurrence of nuisances would be considered a sign of poor management and grounds for revocation of any permit that may be granted.

The applicant has indicated that they only intend to rent out the house facility in the summer when they have a significant increase in the number of employees.

It should be clear that if they intend to rent year round that could involve multiple inspections, with additional inspection fees. These inspections would be to ensure that the facilities are not allowed to degrade throughout the year. It should also be required that if the facility is to be rented in the winter months, the facility must be in compliance with the state rental weatherization program.

If a permit is issued for a Group Lodging Facility, it should be very clear to the applicant that such approval is contingent on continued diligence to the proper management of the facility. If the facility is deemed to become a nuisance to the neighborhood, the permit may be revoked.

It should also be noted that any approval of the Group Lodging Facility use is granted solely to the current applicant, and cannot be transferred to another party. Any sale of the property will immediately terminate the permit, and any subsequent operator will be required to obtain a separate CUP for this facility.

It should be noted that this application is not required for these facilities to be rented to seasonal employees. This permit, and the subsequent license and oversights are only required if these facilities are occupied by more than 4 individuals. While higher density occupancy would appear conducive to increase nuisances, 4 individuals in a poorly managed facility could also be a nuisance. If there are significant concerns with the management of the occupant of these facilities, denial of this permit may be counter-productive. While the City has nuisance ordinances that can be applied to any residence, single family residents can be more difficult to police. By granting a special occupancy permit, the City can impose conditions on the applicant that may provide additional incentive for the facility to be properly managed.

It has been noted that this office is not aware of any nuisances from this facility in recent years.

Conditions that have been applied to other Group lodging facility CUPs include:

1. Permit is valid only with the applicant and is non-transferrable.
2. If maintenance and supervision of the facility is not maintained at a satisfactory level, as determined by the City in its sole judgment, citations may be issued immediately and the permit may be revoked.
3. Any parking issues that may arise must be addressed to the satisfaction of the City.

Chris Tollaksen

City of Wis. Dells Public Works

CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

- Office Use Only -

Initial application fee	\$525.00
Receipt number	#54363
Application number	

1. Applicant information

Applicant name IZIK COHEN

Street address 202 BROADWAY

City WISCONSIN DELLS

State and zip code WI 53965

Daytime telephone number 608-2537295 646-5925806

Fax number, if any _____

E-mail, if any TSHIRTFACTORYWD@GMAIL.COM

2. Subject property information

Street address	<u>817 OAK ST</u>	
Parcel number		Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)		
Describe the current use		

3. Proposed use. Describe the proposed use.

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4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

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CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

c. The suitability of the subject property for the proposed use

d. Effects of the proposed use on the natural environment

e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district

g. Effects of the proposed use on the city's financial ability to provide public services



Google earth



Conditional Use Permit – Group Lodging Facility
Rainbow Motel - 612 Vine St -Employee Housing
Staff Report for Plan Commission, 4/13/16

The City of Wis. Dells has received a Conditional Use Permit (CUP) application from Smart Staff LLC (Calin Voicu) d/b/a All Friends for a Group Lodging Facility at the Rainbow Motel located at 612 Vine St, which occupies an entire half block across from the High School.

This facility was converted into employee housing 2013 by the owner Halina Tarnowski. Ms. Tarnowski is selling the property to Smart Staff LLC. The permit issued to Ms. Tarnowski is non-transferable, so the new owner must obtain their own employee housing permit. Under Ms. Tarnowski this facility seemed well managed, without any major nuisance concerns.

Ms. Tarnowski was renting 30 rooms at the facility to approximately 75 people. The rooms housed 2-5 people depending on the size of the room. The rooms vary in size, but it appears occupants had at least 100 sq ft. There was a common kitchen provided on the site.

The applicant has stated that they intend to house 100 occupants, providing at least 75 sq ft per person and maintaining the common kitchen. This increase in density brings the average space per occupant down to a fairly common for these facilities and still above the minimum 50 sq ft per occupant requirement. However, the increased occupancy does cause concern for the increase potential for nuisances from the property. The applicant has been clearly made fully aware of the concerns of nuisances, including noise and garbage.

Ms. Tarnowski herself was residing on the property. The applicant will not live on the property themselves, but will have a manager living on-site who will also have 2 other employees helping to manage the site. The applicant has stated the managers have been made aware of the importance of ensuring the site does not become the source of a nuisance due to noise, garbage, or any other reason. The applicant has also listed Eric Helland as an emergency contact key holder, so there is a local contact in case of any significant issues.

There is not a laundry at the site, but there is public laundry available nearby. The applicant has stated that they will provide a limited amount of housekeeping that will entail cleaning bathrooms and washing sheets every 2 weeks.

The parking requirement for Workforce housing is 1 space per unit. This facility has approximately 38 parking spaces which would be adequate for 30 rooms. The parking is set up in the middle of the facility, with the buildings located around the outside of the property with all activity directed towards the center of the lot. This layout utilizes the buildings to provide a buffer between the housing facility and the neighboring properties. This layout has been an effective buffering system at other housing facilities. However, if any nuisance issues develop during the course of operation the applicant will be expected to cooperate with the City in implementing measures to stop the nuisance. This could include, but is not limited to: implementing and enforcing quiet hours at the facility, requiring tenants to congregate in specific locations that are properly buffered from neighboring properties and/or other tenants, and/or installing additional buffering, such as building a fence.

This site also has another "White house and cottage" that are currently rented as standard single family dwellings. These facilities are not part of the motel operation and are on a lot large enough to stand alone as a separate 2-family lot. The "White house and cottage" are not part of this approval, they will not be permitted as Group Lodging, and they can only be used as standard single family dwellings.

As with all potential Workforce Housing facility, proper management of the grounds and the tenants is of the utmost importance. The applicant must be aware that upon renting their facility as semi-permanent residences there is an increased potential for a disruptive tenant to become an increasing nuisance. While it is important for the manager of the facility to promptly and effectively address any tenant activities that could be a nuisance to other tenants and/or surrounding property owners, the manager of the facility must also be respectful of their tenant's rights. The manager of the facility must be mindful that due to their semi-permanent residence, their tenants have additional rights in their facility over motel occupants. Each tenant must be provided with their own bed if they request it. Except for emergency situations, proper notice must be given to tenants prior to entering their room. In addition, the City has a policy that a facility must either operate as a motel or as workforce housing, but not as both. Employee tenants CANNOT be evicted from the premises to open rooms for overnight guests.

It has been past practice that any approval of a Group Lodging Facility use is granted solely to the current applicant, and cannot be transferred to another party. Any sale of the property will terminate the permit, and any subsequent owner will be required to obtain a separate CUP for this facility.

Another past practice is to make it clear to the applicant that approval is contingent on continued diligence to the proper management of the facility. If the facility is deemed to become a nuisance to the surrounding properties, the permit may be revoked.

This property is located in a mixed commercial, residential and institutional area that is near a full grocery store, laundry, library, and other services the residences may need.

This facility is near the main commercial area but 1 ½ block off the Broadway. This location may not be ideal, but it does appear to work in being close to center of town but not directly on Broadway.

This use should not have a significant impact on the traffic circulation in this area.

As this use will take place in an existing facility, the effects on the natural environment will be minimal.

This use could have a negative effect on surrounding commercial properties, as employee housing can become a nuisance property if not properly managed. This property currently has the look of an operating motel. At this point the applicant appears to be maintaining the property at a level of a motel striving to attract overnight guests. The applicant would be expected to continue this level of maintenance of the property.

Approval of this permit may contain the following contingencies.

1. The permit is issued to Calin Voicu and is not transferrable, even if Mr. Voicu sells the All Friends business.
2. The facility shall be properly maintained and managed to prevent it from becoming a nuisance.
3. The applicant complies with any requests for additional buffering, if determined necessary by the City.

Chris Tollaksen
City of Wis. Dells

CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

General instructions. Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

- Office Use Only -

RH 54598

Initial application fee	\$525.00
Receipt number	16726856
Application number	

1. Applicant information

Applicant name Smart Staff LLC - Calin Voicu
Street address 12445 Ocean Gateway, Suite 11
City Ocean City
State and zip code MD, 21842
Daytime telephone number 1-443-928-6826
Fax number, if any N/A
E-mail, if any calin.voicu@allfriends.co

2. Subject property information

Street address	612 Vine Street, Wisconsin Dells, WI, 53965	
Parcel number	1092	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)	C1 Commercial-neighbourhood	
Describe the current use	Motel-style rental units.	

3. Proposed use. Describe the proposed use.

Residential and temporary housing. The Rainbow Motel will continue to provide temporary housing for up to 100 people (primarily student participants in the State Department's Summer Work Travel program) in the 35 existing motel units. The two separate houses on the property will continue to be rented to local families. An on-site manager will live in the third free-standing house on the property.

4. Operating conditions. For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

The property will continue to operate as it has in the past, with some tenants living in motel-style rental units and others in separate houses. An on-site manager, or one of his assistants, will be available 24/7 to assist renters with problems and concerns. These full-time staff members will manage housing logistics, provide information and assistance, and ensure that the premises remain in a proper state of repair and cleanliness (through regular and consistent maintenance).

CONDITIONAL USE APPLICATION

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5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

There will likely be an increase in bicycle traffic to the area as student workers rarely use motor vehicles. Off-street bicycle parking will be provided. There will be enough exterior lighting to ensure student safety, but not enough to disturb surrounding properties. Staff will ensure that student workers observe and respect Wisconsin Dells noise ordinances to prevent difficulties or misunderstandings with the neighboring properties.

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

- a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

The immediate neighborhood is a mix of both residential housing and motels. The Rainbow Motel previously operated as a rental housing property and was deemed consistent with the city's comprehensive and neighborhood plans.

- b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

As mentioned above, bicycle traffic to the area will likely increase, and the Rain-Bow Motel will provide additional off-street bicycle parking as necessary. This facility is in a residential area, with moderate traffic flow.

- c. The suitability of the subject property for the proposed use

The Rainbow Motel has been used for both short-term motel rentals and longer-term house rentals in the past. Smart Staff LLC will continue to operate it as such, with minor renovations such as installing security lockers for all tenants, replacing beds as necessary, and eventually installing security cameras on the property.

- d. Effects of the proposed use on the natural environment

No adverse effects on the natural environment are foreseen. Foot and bicycle traffic do not contribute to pollution. It is not anticipated that many, if any, students will have motor vehicles available.

- e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

There will be a minimal effect on surrounding properties. Staff will enforce strict adherence to City of Wisconsin Dells noise ordinances, and there will be very few additional vehicles in the area, as motor vehicle traffic by student workers will be practically non-existent. Rules and regulations will be prominently posted and strictly enforced to prevent disturbances and nuisances.

- f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district

The upkeep and minimal renovation of housing units will positively affect the surrounding properties. Having a new on-site manager with a small team of assistants will ensure that the property is cleaned up and then properly maintained.

- g. Effects of the proposed use on the city's financial ability to provide public services

Business Name: Smart Staff LLC DBA Rainbow Summer Housing	
612 Vine St., Wisconsin Dells, WI, 53965	410-831-8288
Address (Physical location of business)	phone number
12445 Ocean Gateway, Suite 11, Ocean City, MD, 21842	252 565 0098
Mailing address (if different than above)	fax number (if avail.)
calin.voicu@allfriends.co	
Business email address or webpage	

Smart Staff LLC	12445 Ocean Gateway, Suite 11, Ocean City, MD, 21842	443-928-6826	410-213-1200
Primary BUILDING Owner:			
Name: Last, First Middle	date of birth	home address	Primary Phone Secondary Phone
Voicu Calin Mihai	11/02/1982	111 100th Street Unit 22, Ocean City MD, 21842	443-928-6826 410-213-1200
Paun Mihai Alin	09/07/1976	10691 Laconia Dr, Villa Park CA 92861	949-342-0034
Primary BUSINESS Owner:			
Name: Last, First Middle	date of birth	home address	Primary Phone Secondary Phone

Please list (in order of preferred contact) personnel including Managers, Assistant Managers, Supervisors, Janitors, or any other employees that are valid **key holders available to contact in case of emergency.**

Varvara Catalin	05/27/1989	612 Vine St. Wisconsin Dells, WI, 53965	410-831-8288	414-216-5024
Keyholder #1				
Name: Last, First, Middle	Date of birth	home address	Primary Phone	Secondary Phone
Helland Eric	08/01/1955	205 Windy Hill Rd. Wisconsin Dells, WI 53965	608-963-1630	
Keyholder #2				
Name: Last, First, Middle	Date of birth	home address	Primary Phone	Secondary Phone
Keyholder #3				
Name: Last, First, Middle	Date of birth	home address	Primary Phone	Secondary Phone

ALARM INFO:	
Does your business have smoke detectors? (Not to be confused w/ alarm)	YES
Does your business have an alarm monitored by an outside company?	NO
What activates the alarm? (motion, light, heat, noise, power interruption, water flow, panic button, etc.)	N/A
Where is the alarm located?	N/A
Name of the Alarm Company	Primary Phone Secondary Phone

- 20.13 **Large Scale Private Outdoor commercial food and beverage service** An outdoor area located on the same lot as a restaurant or drinking establishment where customers can consume food and drink.
- 20.135 **Small Scale Private Outdoor Commercial food and beverage service.** An outdoor area LESS THAN 1500 sq. feet serving LESS than 50 persons located on the same lot as a restaurant or drinking establishment where customers can consume food and drink.

19.811 (A) Large Scale Private Outdoor commercial food and beverage service

(1) Approval . Any proposed sidewalk café must be approved by the Design Review Committee prior to the use commencing.

- (2+) Outdoor commercial food and beverage service is an accessory use on privately owned real estate subject to the following guidelines. The City of Wisconsin Dells has determined that such service can create an enjoyable atmosphere for visitors that would serve as a benefit for the community, provided that such service is planned and managed properly.
- (a) **Maximum size of service area.** The size of the outdoor service area shall not be more than 50 percent of the floor area of the restaurant or tavern.
- (b) **Location of service area.** The outdoor service area shall be located on the same parcel as the restaurant or tavern or on an adjoining parcel. The outdoor service area shall not be located within any public right of way or within any required landscape area, bufferyard, or front, side, or rear yard setback.
- (c) **Special restrictions when adjacent to residentially-zoned parcel.** If the outdoor service area is adjacent to a residentially zoned parcel, the following restrictions apply:
- (i) Alcoholic beverages. Alcoholic beverages may only be served with a meal.
- (ii) Hours of use. No person may occupy the outdoor service area after 9:30 PM.
- (d) **Consistency with state liquor license.** No alcoholic beverages shall be served or consumed within the outdoor service area unless the liquor, beer, or wine license, whichever is applicable, as issued by the state of Wisconsin, explicitly states that consumption is permitted within the outdoor service area.
- (e) **Entrance to service area if alcoholic beverages are served.** If alcoholic beverages are served, the entrance or entrances to the outdoor service area shall be exclusively through the restaurant or tavern, and a barrier such as a rope or fence shall be erected to prevent entry to the outdoor service area by any other means.
- (f) **Restroom requirements.** The restroom facilities in the restaurant or tavern shall be of sufficient capacity to serve both the indoor and outdoor patrons. Temporary toilet facilities are not be permitted.
- (3) The **Design Review Committee and/or Planning Commission** may, upon application, approve deviations from sec. (2) guidelines except there shall be no exception from sub sec. (2)(f). A deviation shall be accompanied by a finding that it is not inconsistent with the spirit and intent of this section.

19.811(B) Small Scale, private outdoor commercial food and beverage service

(1) Approval . Any proposed sidewalk café must be approved by the Design Review Committee prior to the use commencing.

- (2) Small scale, outdoor commercial food and beverage service is an accessory use on privately owned real estate subject to the following guidelines. The City of Wisconsin Dells has determined that such service can create a enjoyable atmosphere for visitors to Wisconsin Dells that would serve as a benefit to for the community, provided that such service is planned and managed properly.
- (a) **Maximum size of service area.** The size of the outdoor service area shall not be more than 1500 FT². The maximum capacity of the outdoor area shall be 50 persons. Any service area that exceeds this maximum shall be considered a standard Outdoor commercial food and beverage service and require a full CUP.
- (b) **Location of service area.** The outdoor service area shall be located on the same parcel as the restaurant or tavern or on an adjoining parcel. The outdoor service area shall not be located within any public right of way or within any required landscape area, buffer yard, or front, side, or rear yard setback. The **Design Review Committee and/or Plan Commission** may require setbacks as they see fit.
- (c) **Special restrictions when adjacent to residentially-zoned parcel.** If the outdoor service area is adjacent to a residentially zoned parcel, the following restrictions apply:
- i. Alcoholic beverages. Alcoholic beverages may only be served with a meal.
- ii. Hours of use. No person may occupy the outdoor service area after 9:30 PM.
- (d) **Consistency with state liquor license.** No alcoholic beverages shall be served or consumed within the outdoor service area unless the liquor, beer, or wine license, whichever is applicable, as issued by the state of Wisconsin, explicitly states that consumption is permitted within the outdoor service area.
- (e) **Entrance to service area if alcoholic beverages are served.** If alcoholic beverages are served, the entrance or entrances to the outdoor service area shall be exclusively through the restaurant or tavern, and a barrier such as a rope or fence shall be erected to prevent entry to the outdoor service area by any other means.
- (f) **Restroom requirements.** The restroom facilities in the restaurant or tavern shall be of sufficient capacity to serve both the indoor and outdoor patrons. Temporary toilet facilities are not be permitted.
- (3) The **Design Review Committee and/or Plan Commission** may, upon application, approve deviations from the sec. (2) guidelines except there shall be no exception from sub sec. (2)(a) OR (2)(f). A deviation shall be accompanied by a finding that it is not inconsistent with the spirit and intent of this section.